

United States District Court

EASTERN DISTRICT OF WISCONSIN

JUDGMENT IN A CIVIL CASE

CARL WAGNER,

Plaintiff,

V.

CASE NUMBER: **04-C-1034**

**WASHINGTON COUNTY SHERIFF'S DEPARTMENT,
COUNTY MUTUAL INSURANCE AEGIS CORPORATION,
CHRISTOPHER KILLEY,
BRIAN A. HERBST, and
JEFFREY AND PATRICIA A. METZGER,**

Defendants.

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the motion for summary judgment of defendants Washington County Sheriff's Department, County Mutual Insurance Aegis Corporation, Christopher S. Killey, and Brian A. Herbst, is GRANTED. The Court finds the defendants had probable cause to arrest the plaintiff.

The motion for summary judgment by defendants Jeffrey and Patricia A. Metzger for summary judgment is GRANTED. Plaintiff's Fourth Amendment right was not violated, therefore, his conspiracy claim against the Metzgers must be dismissed.

The only claims remaining are plaintiff's state law claims. Therefore, the case is dismissed because the Court lacks jurisdiction over the remaining state law claims. This plaintiff's 42 U.S.C. § 1983 complaint action is hereby DISMISSED.

March 13, 2006

Date

SOFRON B. NEDILSKY

Clerk

s/ Linda M. Zik

(By) Deputy Clerk